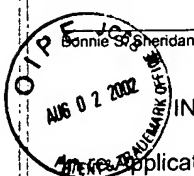


"Express Mail" mailing number.: EV118434243US
Date of Deposit: August 2, 2002
I hereby certify that this paper and all papers and fees referred to herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the The U.S. Patent and Trademark Office, Box Sequence, P. O. Box 2327, Arlington, VA 22202

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Bonnie S. Sheridan

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Application of: Dykstra et al.

Serial No.: 10/044,315

Group Art Unit: 1633

Filed: January 11, 2002

Docket No.: 421/60/18/2

Confirmation No.: 6772

For: COMPOUNDS, METHODS AND COMPOSITIONS USEFUL FOR THE
TREATMENT OF BOVINE VIRAL DIARRHEA VIRUS (BVDV) INFECTION AND
HEPATITIS c VIRUS (HCV) INFECTION

PRELIMINARY AMENDMENT AND RESPONSE TO NOTICE TO COMPLY WITH
REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The U.S. Patent and Trademark Office
Box Sequence, P. O. Box 2327
Arlington, VA 22202

Sir:

Responsive to the "Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures" dated December 7, 2001, and having a period for response that expired on March 14, 2002, applicants respectfully submit the following. A petition to extend the response period to August 14, 2002 is enclosed.

AMENDMENTS

Please delete the sequence listing of the application as filed and insert in place thereof the sequence listing attached herewith.

REMARKS

The specification of the subject U.S. Patent Application has been amended by deleting the Sequence Listing as filed and inserting in place thereof the accompanying substitute Sequence Listing. The contents of the enclosed substitute paper and the enclosed computer readable copies of the Sequence Listing are the same. Pursuant to 37 C.F.R. § 1.821, no new matter has been added. A copy of the Sequence Listing Error Report is also enclosed. Applicants submit that this Response with accompanying

documents places the application in compliance with the rules governing nucleotide and/or amino acid sequence disclosure as set forth in the most current version of 37 C.F.R. §§ 1.821-1.825.

Support for the Amendment to the specification is found in the originally filed paper copy of the Sequence Listing, as well as throughout the application, notably on page 30, paragraph 00169.

Summarily, the Sequence Listing has been updated to explain the source of the genetic material described in the Sequence Listing. The substitute paper copy of the Sequence Listing includes no new matter in accordance with 37 C.F.R. §§ 1.821-1.825.

The content of the paper and the computer readable forms of the Sequence Listing is the same, as required by 37 C.F.R. §§ 1.821-1.825. A statement to this effect is also enclosed.

The Commissioner or his representative is invited to contact the undersigned for clarification of this correspondence as necessary. The Commissioner is hereby authorized to charge any deficiencies of payment associated with the filing of this correspondence to Deposit Account No. 50-0426.

Respectfully submitted,

JENKINS & WILSON, P.A.

Date: 08/02/2002

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Enclosures